



**2011
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CARRICK	✓			
CASPARE	✓			
FREEMAN	✓			
MANNA	✓			
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	6			

Offered by:

Seconded by:

Zamechansky
Freeman

Ordinance
No.

1427

Date:

March 15, 2011

Page:

1 of 3

Subject:

Fire Department-Chapter 36

Purpose:

Amend

Account No.

Contract No.

Dollar
Amount:

Prepared By:

Gregg Paster, Esq.

Certified as a true copy of an Ordinance adopted at 2nd reading by the Borough of
Dumont on the above date at a Regular Meeting by:

Susan Connelly

Susan Connelly, RMC, Borough Clerk
Borough of Dumont, Bergen County, New Jersey

**AN ORDINANCE OF THE BOROUGH OF DUMONT, COUNTY OF BERGEN, STATE
OF NEW JERSEY
(AMENDING CHAPTER 36 FIRE DEPARTMENT OF THE DUMONT CODE)**

WHEREAS, it is the express purpose of this ordinance to regulate the fire department, and generally to promote, preserve, and protect the peace, good order, comfort, convenience, safety, and welfare of the citizens and inhabitants of the Borough; and

WHEREAS, the Borough Council is responsible for enacting such regulations and rules as it deems to be in the best interest of the residents and maximizes the efficiency and performance of the Fire Department; and

WHEREAS, on September 7, 2010, following first and second readings on July 6, 2010 and August 3, 2010, the Board of Fire Officers approved certain changes and an addition to Chapter 36 of the Borough of Dumont Code.

THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 36 FIRE DEPARTMENT of the Borough of Dumont Code shall be amended and augmented as hereinafter provided:

Article I. Establishment and Organization of Department

Section 3. Composition; residency; nonresident members

- A. The Fire Department shall consist of 80 active members with a maximum of 20 members per Company of the Borough of Dumont heretofore and hereafter organized and approved by the Mayor and Council.

Section 6. Fire Auxiliary (junior firefighter)

C. Organization

- (1) The Fire Auxiliary shall consist of 16 members, maximum of 4 per Company between the ages of 16 and 20 years. Membership shall be terminated upon a member attaining his/her 21st birthday.

E. Requirements for application

- (3) Submit to and pass a physical examination similar to that required for acceptance by the uniformed force of the Department. The cost of the examination shall be borne by the applicant.
- (5) Omitted

Article IV. Chief Officers

Section 17. Qualifications of candidates for election

- B. The Assistant Chief and Deputy Chief shall be ex-Captains, with a minimum of 2 years experience as Captain at the time of swearing in and a minimum of 6 years experience in the Dumont Fire Department. All candidates shall also meet all state requirements. Time as an acting officer does not count towards eligibility requirements.

Section 21. Vacancies

In the event of a vacancy occurring in the office of Chief, Assistant Chief or Deputy Chief the Fireboard will wait 1 month and then the Fireboard shall meet

and vote on whether to have an election or appoint a Duty Officer for the remainder of the term.

Article VII. Miscellaneous Regulations

Section 45. Firematic Officer

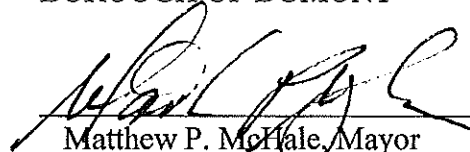
If a member of the Dumont Fire Department belongs to another volunteer fire department or ambulance corp., that member will be ineligible to become a Firematic Officer in the Dumont Fire Department. Example: (Lieutenant through Chief). Excepted from this section is a member that must belong to another volunteer department because his/her contract of employment states obligates him/her to do so.

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Severability. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT


Matthew P. McHale, Mayor

ATTEST:


Susan Connelly, RMC
Borough Clerk

Introduced: February 15, 2011
Adopted: March 15, 2011



**2011
BOROUGH OF DUMONT
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ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	6			

Ordinance No. 1428

Date: March 15, 2011

Page: 1 of 2

Subject: Exceed Municipal Budget
Appropriation Limits and
Establish a Cap Bank

Purpose: Authorization

Account No.

Contract No.

Dollar
Amount:

Prepared By: Gary Vinci, Auditor

Offered by:
Seconded by:

Carrick
Freeman

Certified as a true copy of an Ordinance adopted at 1st reading by the Borough of
Dumont on the above date at a Regular Meeting by:

Susan Connelly
Susan Connelly, RMC, Borough Clerk
Borough of Dumont, Bergen County, New Jersey

**CALENDAR YEAR 2011
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Dumont in the County of Bergen finds its advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$211,346 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Dumont, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Dumont shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 1.5%, amounting to \$211,346, and that the CY 2011 municipal budget for the Borough of Dumont be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Matthew P. McHale, Mayor

Attest:

Susan Connelly, RMC
Borough Clerk

Introduced: March 15, 2011

Adopted:



**2011
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CARRICK	✓			
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MANNA			✓	
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR MCHALE				
TOTALS	5		1	

Ordinance No. 1429
Date: March 15, 2011
Page: 1 of 5
Subject: Chapter 75, Section 9
Purpose: Amendment
Account No. _____
Contract No. _____
Dollar Amount: _____
Prepared By: Gregg Paster, Esq.

Offered by: Carrick
Seconded by: Freeman

Certified as a true copy of an Ordinance adopted at 1st reading by the Borough of Dumont on the above date at a Regular Meeting by: Susan Connelly

Susan Connelly, RMC, Borough Clerk
Borough of Dumont, Bergen County, New Jersey

**AN ORDINANCE OF THE BOROUGH OF DUMONT, COUNTY OF BERGEN, STATE
OF NEW JERSEY AMENDING CHAPTER 75, SECTION 9 OF THE BOROUGH OF
DUMONT CODE**

WHEREAS, the Mayor and Council have been requested by the Chief of Police and the Police Benevolent Association to revise the police department promotion policy in order to streamline the process to address a pressing need for supervisory personnel; and

WHEREAS, the Mayor and Council now seek to accommodate that request by temporarily suspending the requirement for a written examination to evaluate candidates for police promotions; and

WHEREAS, it is necessary to amend this section of Chapter 75 of the Borough Code governing the required process for police promotions.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 75 PERSONNEL POLICIES of the Borough of Dumont Code shall be amended as hereinafter provided:

Chapter 75-9 Promotions be and hereby is repealed in its entirety.

In place of existing section 75-9, the following provisions and sections shall replace the existing Code, new **75-9 Promotions**:

A. Promotions to sergeant, lieutenant and captain.

(1) Promotion of any member or officer of the Police Department to a sergeant, lieutenant or captain shall be made from the membership of the Department. Due consideration shall be given to the member or officer so proposed for the promotion to the length and merit of his/her service and preference shall be given according to seniority in service. Consideration shall also be given to the recommendations of the Chief of Police. No person shall be eligible for promotion to be a superior officer unless he/she shall have previously served as a patrol person for at least four years in the Department. A resident shall be appointed rather than a nonresident in any instance in which the resident and the nonresident achieve the same final average score in any test which may be given for promotion. This preference shall not, however, diminish, reduce, or effect any preference granted to veterans pursuant to any other provision of law.

(a) The selection process for the promotion of candidates to the position of Sergeant, Lieutenant and Captain shall be comprised of the following components with corresponding weights:

- [1] Seniority: 20%.
- [2] Education: 10%.
- [3] A promotional evaluation: 30%.
- [4] Chief of Police recommendations: 40%.

(b) The above-stated components shall be defined and ranked as follows:

- [1] Seniority. Candidates shall be ranked against competing candidates based upon seniority.
- [2] Education. Candidates shall be competitively evaluated and ranked based upon the level of education attained. Ranking shall be as follows:
 - [a] High school diploma: two.

- [b] Reserved for training certification: maximum four.
- [c] Associate's degree or in excess of 60 credits accumulated towards a bachelor's degree: six.
- [d] Bachelor's degree: eight.
- [e] Master's degree: ten.
- [f] United States Military service resulting in Honorable Discharge: four, in addition to existing civilian educational achievement.

[3] Promotional evaluation.

- [a] Candidates shall be competitively evaluated on their merit in a promotional evaluation process consisting of the following:
 - [i] The personnel files, including but not limited to job evaluation, disciplinary record, commendations and attendance.
 - [ii] An oral interview conducted by the Mayor and Council and/or their designees, which shall consider the following:
 - [A] Comprehensive and presentation skills in oral communications.
 - [B] Maturity in judgment.
 - [C] Interest in law enforcement.
 - [D] Evidence of supervisory ability.
 - [E] Demonstrate knowledge and understanding of the Borough, including the physical and demographics thereof, as well as an understanding of the operations of the Borough government including the interaction of the various departments thereof.
 - [F] Knowledge and understanding of supervisory practices, departmental rules, regulations, policies and procedures.

[4] Consideration, constituting a value of 40% of the total evaluation process shall also be given to the recommendations by the Chief of Police.

(2) Promotions shall be granted in the order of the highest cumulative-value of all components. In the event members of the police force receive the same total value, preference shall be given to seniority, and a resident shall be appointed rather than a nonresident.

B. Promotion to Chief of Police.

(1) The position of Chief of Police is hereby declared to be an executive and managerial position, and promotion to the office of Chief of Police shall be in accordance with Subsection A above where appropriate and in addition the Mayor and Council in examining the merit and length of service of an

applicant, due consideration shall be given to the managerial and executive abilities.

- (a) The selection process for the managerial position of Chief of Police shall be comprised of the following components with corresponding weights:
 - [1] Seniority: 20%.
 - [2] Oral evaluation: 50%.
 - [3] Written essay: 20%.
 - [4] Education: 10%.
- (b) The above-stated components shall be defined and ranked as follows:
 - [1] Seniority. Candidates shall be ranked against competing candidates based upon seniority.
 - [2] Oral evaluation.
 - [a] The personnel files, including but not limited to job evaluations, disciplinary, record, commendations and attendance.
 - [b] An oral interview conducted by the Mayor and Council which shall consider the following:
 - [i] Comprehension and presentation skills in oral communications.
 - [ii] Maturity in judgment.
 - [iii] General knowledge of current departmental operations.
 - [iv] Management capabilities.
 - [v] Ability to solve problems through creative concepts.
 - [3] Written essay.
 - [a] A written essay to be evaluated by the Mayor and Council based upon the following criteria:
 - [i] Ability to communicate concepts.
 - [ii] Presentation of ideas and values.
 - [iii] Conceptual understanding of departmental needs and goals, both current and future.
 - [iv] Demonstration of conceptual ability to pursue goals through the exercise of managerial skills.
 - [4] Education. Candidates shall be competitively evaluated and ranked based upon the level of education attained: Ranking shall be as follows:
 - [a] High school diploma: two.
 - [b] Reserved for training certifications: maximum four.
 - [c] Associate's degree or in excess of 60 credits accumulated towards a bachelor's degree: six.
 - [d] Bachelor's degree: eight.
 - [e] Master's degree: ten.

[f] United States Military service resulting in Honorable Discharge: four, in addition to existing civilian educational achievement.

(2) The Mayor and Council shall promote the employee who demonstrates the greatest overall strength and ability to function in a managerial capacity. In the event members of the police force receive the same total value, preference shall be given to seniority, and a resident shall be appointed rather than a nonresident.

C. Promotions to ranks length of service. Promotions to the following ranks will require the following years of continuous service as a Police Officer in the Dumont Police Department.

(1) Chief of Police: 15 years.

(2) Captain: 15 years.

(3) Lieutenant: 12 years.

(4) Sergeant: 6 years.

D. Detective bureau assignments. The Detective Bureau of the Borough of Dumont shall be composed of officers assigned to said bureau by the Chief. The position of detective within the department shall not be considered a promotion but only a temporary alignment made by the Chief. It is considered a lateral move, and as such an individual may be transferred into the detective bureau or out of the detective bureau at any time.

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Severability. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

Matthew P. McHale, Mayor

ATTEST:

Susan Connelly, RMC
Borough Clerk

Introduced: March 15, 2011

Adopted: _____ 2011